

UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451
General Contact Number: 571-272-8500

Mailed: September 25, 2015

Opposition No. 91220493 (parent)
Opposition No. 91220494

Sony Mobile Communications Inc.
substituted by assignment from Sony Mobile
Communications AB

v.

Sensei, LLC

Robert H. Coggins,
Interlocutory Attorney:

Now before the Board are Applicant's motion to suspend (filed August 11, 2015, in each proceeding) and Opposer's motion to substitute (filed August 19, 2015, in each proceeding).

Consolidation

It has come to the Board's attention that the parties are involved in Opposition Nos. 91220493 and 91220494. Inasmuch as the parties are the same, the subject marks are similar, and the cases involve common questions of law and fact, the Board exercises its discretion to *sua sponte* consolidate proceedings. See Fed. R. Civ. P. 42(a), and TBMP § 511. Accordingly, Opposition Nos. 91220493 and 91220494 are **consolidated** and may be presented on the same record and briefs. See *Helene Curtis Industries Inc. v. Suave Shoe Corp.*, 13 USPQ2d 1618 (TTAB 1989) and

Opposition Nos. 91220493 and 91220494

Hilson Research Inc. v. Society for Human Resource Management, 26 USPQ2d 1423 (TTAB 1993).

The Board file for these consolidated cases will be maintained in Opposition No. 91220493 as the “parent” case. As a general rule (except for a separate answer to each respective notice of opposition) only a single copy of any paper or motion should be filed in the “parent” case, and that copy should bear both proceeding numbers in its caption.¹

Motion to Substitute

Opposer moves to substitute Sony Mobile Communications Inc. for Sony Mobile Communications AB as the party plaintiff in each proceeding. Inasmuch as an assignment of Opposer’s pleaded registrations has been recorded with the Assignment Branch at Reel 5589, Frame 0403, and Applicant has raised no objection to substitution, the motion is **granted**. See TBMP § 512.01 (2015). The caption of the proceedings has been updated accordingly.

Motion to Suspend

Applicant’s consented motion to suspend proceedings for settlement is granted to the extent modified herein. Proceedings are **suspended**, but will resume without further notice from the Board on the following schedule:

Time to Answer ²	10/19/2015
Deadline for Discovery Conference	11/18/2015

¹ If the parties are (or during the pendency of these proceedings become) parties to another proceeding involving related issues or marks, the parties must notify the Board for consideration of suspension or further consolidation.

² As noted above, the exception to filing only a single paper in the “parent” case is the filing of an answer in the respective case file.

Discovery Opens	11/18/2015
Initial Disclosures Due	12/18/2015
Expert Disclosures Due	4/16/2016
Discovery Closes	5/16/2016
Plaintiff's Pretrial Disclosures	6/30/2016
Plaintiff's 30-day Trial Period Ends	8/14/2016
Defendant's Pretrial Disclosures	8/29/2016
Defendant's 30-day Trial Period Ends	10/13/2016
Plaintiff's Rebuttal Disclosures	10/28/2016
Plaintiff's 15-day Rebuttal Period Ends	11/27/2016

In each instance, a copy of the transcript of testimony, together with copies of documentary exhibits, must be served on the adverse party within thirty days after completion of the taking of testimony. Trademark Rule 2.125. Briefs shall be filed in accordance with Trademark Rules 2.128(a) and (b). An oral hearing will be set only upon request filed as provided by Trademark Rule 2.129.